AMDT CLAIMS 10/30-C3 #11 HOUR

Appl. No. 09/271,011
Amdt Dated 10/24/2003
Reply to Office Action of 07/31/2003

RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2666

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 3401

Application. No.	:	09/271,011
Applicant	:	Kalkunte et al.
Filed	:	03/17/1999
TC/A.U.	:	2666
Examiner	:	Frank Duong
Docket No.	:	82771P270C2
Customer No.	:	8791

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AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Office action of 07/31/2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Received from < 714 557 3800 > at 10/24/03 7:17:41 PM [Eastern Daylight Time]

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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FACSIMILE COVER SHEET

Deliver to: Frank Duong, USPTO

Art Group: 2664

Facsimile No.: 703 872-9314

Date: October 24, 2003

From: Thinh V. Nguyen, Reg. No. 42,034

Our Docket No.: 82771P270C2

Number of pages 12 including this sheet.

Application No.: 09/271,011

Filing Date: 3/17/1999

Docket Due Date(s): 10/31/2003

Enclosed are the following documents:

- ☒ Amendment: After Final
- ☐ Appeal Brief (in triplicate) (___pgs)
- ☐ Application: _____ (___pgs) w/cover & abstract)
- ☐ Assignment & Cover Sheet (___pgs)
- ☒ Certificate of Facsimile
- ☐ Continued Prosecution Application (CPA)
- ☐ Declaration & POA (___pgs)
- ☐ Drawings: ___sheets, ___figures
- ☐ Extension of Time: _____
- ☒ Fee Transmittal (in duplicate)
- ☐ IDS & PTO/SB/08 (pgs)
- ☐ Other _____
- ☐ Issue Fee Transmittal
- ☐ Notice of Appeal
- ☐ Petition for: _____
- ☐ Request for Continued Examination (RCE)
- ☐ Reply Brief (___pgs)
- ☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)
- ☐ Request to Rescind Previous Nonpublication Request
- ☐ Response to Notice of Missing Parts & Formalities Letter
- ☐ Response to Written Opinion (___pgs)
- ☐ Terminal Disclaimer
- ☐ Transmittal of Publication Fee Due
- ☒ Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Pat Sullivan 10/24/2003

Pat Sullivan *Date*

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	09/271,011
Filing Date	March 17, 1999
First Named Inventor	Mohan V. Kalkunte
Art Unit	2664
Examiner Name	Frank Duong
Total Number of Pages in This Submission: 12	Attorney Docket Number: 82771P270C2

ENCLOSURES *(check all that apply)*

- [X] Fee Transmittal Form
  - [ ] Fee Attached
- [X] Amendment / Response
  - [X] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
  - [ ] PTO/SB/08
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Basic Filing Fee
  - [ ] Declaration/POA
- [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s)
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- [ ] Proprietary Information
- [ ] Status Letter
- [X] Other Enclosure(s) *(please identify below):*

Facsimile Transmittal Sheet

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thinh V. Nguyen, Reg. No. 42,034 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 24, 2003

CERTIFICATE OF MAILING/TRANSMISSION

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Signature			

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT ($) 0.00

Complete if Known	
Application Number	09/271,011
Filing Date	March 17, 1999
First Named Inventor	Mohan V. Kalkunte
Examiner Name	Frank Duong
Group/Art Unit	2664
Attorney Docket No.	82771P270C2

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 02-2666

Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: *(check all that apply)*

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	20	- 20* =	0	X	18.00	=	$0.00
Independent Claims	4	- 4* =	0	X	86.00	=	$0.00
Multiple Dependent						=	

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple Dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($) 0.00

**or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($)

Complete (if applicable)

SUBMITTED BY					
Name (Print/Type)	Thinh V. Nguyen	Registration No. (Attorney/Agent)	42,034	Telephone	(714) 557-3800
Signature				Date	10/24/03

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